

ORDINANCE NO. 2755 NEW SERIES

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE CITY MANAGER TO EXECUTE THE FOLLOWING EASEMENTS IN FAVOR OF SALT RIVER PROJECT: (1) A POWER DISTRIBUTION EASEMENT AT SUNSET RIDGE PARK LOCATED ON THE NORTHEAST CORNER OF 87TH AND MISSOURI AVENUES, AND (2) A UTILITY EASEMENT FOR ELECTRICAL POWER FACILITIES WITHIN THE RIGHT-OF-WAY FOR COYOTES BOULEVARD AT 95TH AVENUE; AND ORDERING THAT A CERTIFIED COPY OF THIS ORDINANCE BE RECORDED.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GLENDALE as follows:

SECTION 1. That the City Council hereby approves the easements and all the terms and conditions thereto and directs that the City Manager for the City of Glendale execute said documents granting Salt River Project easements upon, across, over and under the surface of certain property located within existing City property, a copy of which is attached hereto as Exhibit A and B. The legal descriptions are contained in the easements.

SECTION 2. That the City hereby reserves the right to use the easement premises in any manner that will not prevent or interfere with the exercise by Salt River Project of the rights granted hereunder; provided, however, that the City shall not obstruct, or permit to be obstructed, the easement premises at any time whatsoever without the express prior written consent of Salt River Project.

SECTION 3. That the City Clerk be instructed and authorized to forward a certified copy of this ordinance for recording to the Maricopa County Recorder's Office.

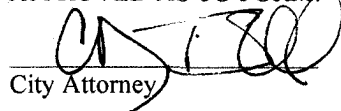
PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale, Maricopa County, Arizona, this 14th day of December, 2010.


MAYOR

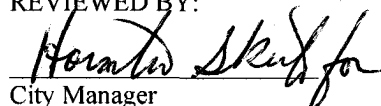
ATTEST:


City Clerk (SEAL)

APPROVED AS TO FORM:


City Attorney

REVIEWED BY:


City Manager

WHEN RECORDED MAIL TO:

SALT RIVER PROJECT

Land Department/PAB400

P. O. Box 52025

Phoenix, Arizona 85072-2025

POWER DISTRIBUTION EASEMENT

Maricopa County
Parcel # 102-11-010H
NE4 15 T2N R1E

Agt. MNT
Job # KJB-6757

W MA C _____

**CITY OF GLENDALE,
an Arizona municipal corporation,**

hereinafter called Grantor, for and in consideration of the sum of One Dollar, and other valuable consideration, receipt of which is hereby acknowledged, does hereby grant and convey to **SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT**, an agricultural improvement district organized and existing under the laws of the State of Arizona, its agents, employees, contractors and permittees and its and their respective successors and assigns, hereinafter called the Grantee, a non-exclusive easement in, upon, over, under, across, through and along the lands hereinafter described (such lands hereinafter described being sometimes referred to herein as the "Easement Parcel") to construct, install, reconstruct, replace, remove, repair, operate and maintain underground electrical conductors, conduits, pipes, cables, vaults, pads, switching equipment, enclosures, manholes and transformers and all other appliances, appurtenances and fixtures (collectively "Facilities") for the transmission and distribution of electricity and for all other purposes connected therewith at such locations and elevations, in, upon, over, under, across, through and along the Easement Parcel as Grantee may now or hereafter deem convenient or necessary from time to time, together with the right of ingress and egress to, from, across and along the Grantor's Property.

The lands in, upon, over, under, across, through and along which this easement is granted are situated in the County of Maricopa, State of Arizona, and are more particularly described as:

Grantor's Property:

That portion of the Northwest quarter, Northeast quarter and the Southwest quarter of Section 15, Township 2 North, Range 1 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described in Instrument No. 2004-0201460, records of Maricopa County, Arizona.

Easement Parcel:

Said easement being 8.00 feet in width, lying 4.00 feet on each side of the line described as "CENTERLINE OF 8' EASEMENT" on EXHIBIT A, including equipment pad areas, prepared by SRP Surveys Department, dated March 20, 2008, attached hereto and by this reference made a part hereof.

CAUTION: Facilities placed within the Easement Parcel may contain high voltage electrical equipment. Notice is hereby given that the location of underground electrical conductors or facilities must be verified as required by Arizona Revised Statutes, Section 40-360.21, et. seq., Arizona Blue Stake Law, prior to any excavation.

Grantor shall maintain a clear area that extends 3.00 feet from and around all edges of all transformer pads and other equipment pads, and a clear operational area that extends 12.00 feet immediately in front of all transformer and other equipment openings. No obstruction, trees, shrubs, fixtures or permanent structures shall be placed within said areas.

Grantor shall not construct, install or place, or permit to be constructed, installed or placed any building or other structure, plant any trees, drill any well, store materials of any kind, or alter ground level by cut or fill, within the area of the Easement Parcel.

Grantee shall have the right (but not the obligation) to trim, cut and clear away trees, brush or other vegetation on, the Easement Parcel whenever in its judgment the same shall be necessary for the convenient and safe exercise of the rights herein granted.

In the event Grantee records a document to formally abandon the easement granted herein, all Grantee's rights hereunder shall cease, except the right to remove any and all property placed upon the Easement Parcel within a reasonable time subsequent to such abandonment.

The covenants and agreements herein set forth shall extend and inure in favor and to the benefit of and shall be binding on the heirs, administrators, executors, personal representatives, legal representatives, successors (including successors in ownership and estate), assigns and lessees of the Grantor and Grantee.

IN WITNESS WHEREOF, **CITY OF GLENDALE**, a municipal corporation, has caused its name to be executed by its duly authorized representative(s), this _____ day of _____, 20____.

APPROVED AS TO FORM:

CITY OF GLENDALE, a municipal corporation

City Attorney

By: City Manager

ATTEST:

City Clerk

STATE OF _____)

) ss.

COUNTY OF _____)

This instrument was acknowledged before me this _____ day of _____, 20____, by _____ and _____, City Manager and City Clerk, respectively, of the **CITY OF GLENDALE**, a municipal corporation of the State of Arizona.

Notary Public

My Commission Expires:

(Notary Stamp/Seal)

IN WITNESS WHEREOF, SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT, an agricultural improvement district organized and existing under the laws of the State of Arizona, has caused its name to be executed by its duly authorized representative(s) this _____ day of _____, _____.

**SALT RIVER PROJECT AGRICULTURAL
IMPROVEMENT AND POWER DISTRICT,**
an agricultural improvement district organized and
existing under the laws of the State of Arizona

By: John M. Felty

Its: Manager, Land Acquisitions Division

STATE OF ARIZONA)
) ss.
County of Maricopa)

On this, the _____ day of _____, _____, before me, the undersigned, personally appeared **JOHN M. FELTY**, Manager, Land Acquisitions Division of the **SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT**, an agricultural improvement district organized and existing under the laws of the State of Arizona, and such authorized representative acknowledged that this document was executed on behalf of the corporation for the purposes therein contained.

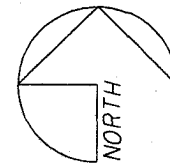
My Commission expires:

Notary Public

Notary Stamp/Seal

Note: This instrument is exempt from the real estate transfer fee and affidavit of legal value required under A.R.S. Sections 11-1132 and 11-1133 pursuant to the exemptions set forth in A.R.S. Sections 11-1134(A)(2) and (A)(3).

EXHIBIT "A"



0 60 120



SRP JOB #
KJB-6757

NOTE

THIS EXHIBIT IS INTENDED
TO ACCOMPANY AN EASEMENT,
IT IS NOT A SURVEY AND SHOULD
NOT BE CONSTRUED AS SUCH.

EQUIPMENT PAD(S) ARE A PART
OF THE EASEMENT UNLESS
OTHERWISE NOTED.

CAUTION

THE EASEMENT LOCATION AS
HEREON DELINEATED MAY
CONTAIN HIGH VOLTAGE ELECTRICAL
EQUIPMENT, NOTICE IS HEREBY GIVEN
THAT THE LOCATION OF UNDERGROUND
ELECTRICAL CONDUCTORS OR
FACILITIES MUST BE VERIFIED
AS REQUIRED BY ARIZONA REVISED
STATUTES, SECTION 40-380.21,
ET. SEQ., ARIZONA BLUE STAKE
LAW, PRIOR TO ANY EXCAVATION.

LEGEND

NOTE: SYMBOLS MAY NOT BE TO DRAWING
SCALE, SO AS TO BETTER ENHANCE
GRAPHICAL REPRESENTATION

----- SECTION AND CENTERLINE

----- PROPERTY LINE

----- CENTERLINE OF 8' EASEMENT

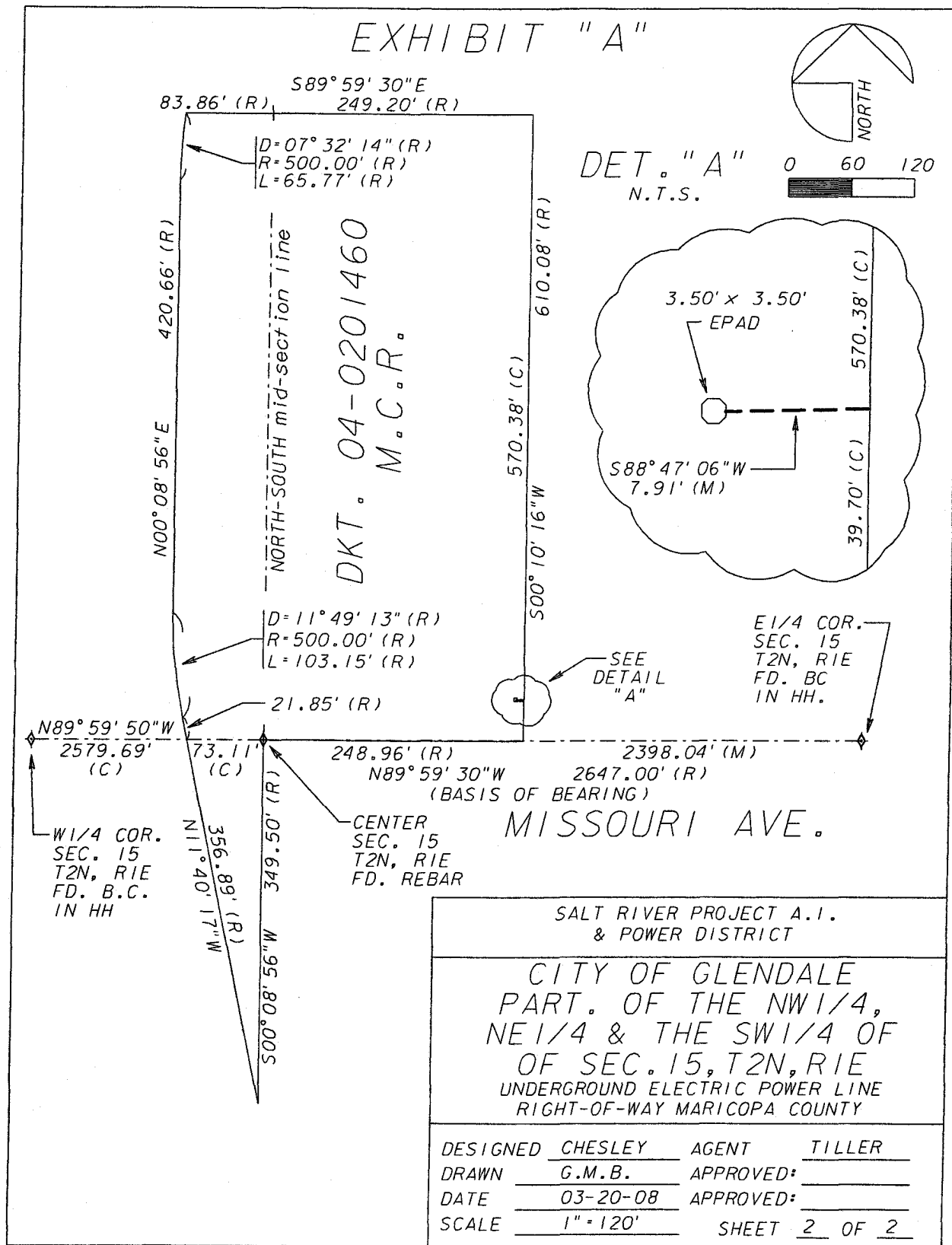


EQUIPMENT PAD -
UNLESS OTHERWISE NOTED
ARE PART OF THE EASEMENT

SALT RIVER PROJECT A.I.
& POWER DISTRICT

CITY OF GLENDALE
PART. OF THE NW1/4,
NE1/4 & THE SW1/4 OF
OF SEC. 15, T2N, R1E
UNDERGROUND ELECTRIC POWER LINE
RIGHT-OF-WAY MARICOPA COUNTY

DESIGNED	CHESLEY	AGENT	TILLER
DRAWN	G.M.B.	APPROVED:	
DATE	03-20-08	APPROVED:	
SCALE	1" = 120'	SHEET	1 OF 2



WHEN RECORDED MAIL TO:

SALT RIVER PROJECT

Land Department/PAB400

P. O. Box 52025

Phoenix, Arizona 85072-2025

POWER DISTRIBUTION EASEMENT

Maricopa County
Parcel # 102-01-046
NE4 09 T2N R1E

Agt. MNT
Job # KJB-6602
W _____ C _____

**CITY OF GLENDALE,
an Arizona municipal corporation,**

hereinafter called Grantor, for and in consideration of the sum of One Dollar, and other valuable consideration, receipt of which is hereby acknowledged, does hereby grant and convey to **SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT**, an agricultural improvement district organized and existing under the laws of the State of Arizona, its agents, employees, contractors and permittees and its and their respective successors and assigns, hereinafter called the Grantee, a non-exclusive easement in, upon, over, under, across, through and along the lands hereinafter described (such lands hereinafter described being sometimes referred to herein as the "Easement Parcel") to construct, install, reconstruct, replace, remove, repair, operate and maintain underground electrical conductors, conduits, pipes, cables, vaults, pads, switching equipment, enclosures, manholes and transformers and all other appliances, appurtenances and fixtures (collectively "Facilities") for the transmission and distribution of electricity and for all other purposes connected therewith at such locations and elevations, in, upon, over, under, across, through and along the Easement Parcel as Grantee may now or hereafter deem convenient or necessary from time to time, together with the right of ingress and egress to, from, across and along the Grantor's Property.

The lands in, upon, over, under, across, through and along which this easement is granted are situated in the County of Maricopa, State of Arizona, and are more particularly described as:

Grantor's Property:

A parcel of land lying within the Northeast quarter of Section 9, Township 2 North, Range 1 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described in Quit Claim Deed, Document No. 2005-1800413, records of Maricopa County, Arizona.

Easement Parcel:

Said easement being 8.00 feet in width, lying 4.00 feet on each side of the centerline (centerline of 8.00 foot easement), as delineated/depicted on the attached EXHIBIT "A", Sheets 1 & 2, including equipment pad areas, and by this reference made a part hereof.

CAUTION: Facilities placed within the Easement Parcel may contain high voltage electrical equipment. Notice is hereby given that the location of underground electrical conductors or facilities must be verified as required by Arizona Revised Statutes, Section 40-360.21, et. seq., Arizona Blue Stake Law, prior to any excavation.

Grantor shall maintain a clear area that extends 3.00 feet from and around all edges of all transformer pads and other equipment pads, and a clear operational area that extends 12.00 feet immediately in front of all transformer and other equipment openings. No obstruction, trees, shrubs, fixtures or permanent structures shall be placed within said areas.

Grantor shall not construct, install or place, or permit to be constructed, installed or placed any building or other structure, plant any trees, drill any well, store materials of any kind, or alter ground level by cut or fill, within the area of the Easement Parcel.

Grantee shall have the right (but not the obligation) to trim, cut and clear away trees, brush or other vegetation on, the Easement Parcel whenever in its judgment the same shall be necessary for the convenient and safe exercise of the rights herein granted.

In the event Grantee records a document to formally abandon the easement granted herein, all Grantee's rights hereunder shall cease, except the right to remove any and all property placed upon the Easement Parcel within a reasonable time subsequent to such abandonment.

The covenants and agreements herein set forth shall extend and inure in favor and to the benefit of and shall be binding on the heirs, administrators, executors, personal representatives, legal representatives, successors (including successors in ownership and estate), assigns and lessees of the Grantor and Grantee.

If Grantee performs excavation activities in or around the Easement Parcel and disturbs or damages any of the real property or improvements of Grantor while performing such excavation, all such real property or improvements disturbed or damaged shall be restored as close to original condition as is reasonably possible at the expense of the Grantee.

'EXHIBIT B – FOR REFERENCE ONLY'

IN WITNESS WHEREOF, **CITY OF GLENDALE**, a municipal corporation, has caused its name to be executed by its duly authorized representative(s), this _____ day of _____, 20_____.

APPROVED AS TO FORM:

CITY OF GLENDALE, a municipal corporation

City Attorney

By: City Manager

ATTEST:

City Clerk

STATE OF _____)
) ss.
COUNTY OF _____)

This instrument was acknowledged before me this _____ day of _____, 20____, by _____ and _____, City Manager and City Clerk, respectively, of the **CITY OF GLENDALE**, a municipal corporation of the State of Arizona.

Notary Public

My Commission Expires:

(Notary Stamp/Seal)

Note: This instrument is exempt from the real estate transfer fee and affidavit of legal value required under A.R.S. Sections 11-1132 and 11-1133 pursuant to the exemptions set forth in A.R.S. Sections 11-1134(A)(2) and (A)(3).

EXHIBIT "A"



NUMBER	DIRECTION	DISTANCE
L1	S 01°47'39" E	22.00'
L2	S 01°47'39" E	60.17'
L3	S 01°47'39" E	17.83'
L4	N 01°47'39" W	100.00'

LOT 15
MCR 745-14
APN 102-01-046

APN 102-01-034

LOT 11
MCR 745-14

95TH AVENUE

1031.10' (R&C)

N 01°47'39" W

60'

POB
DOC.05-1800413

N 88°12'21" E

563.87' (R)

SEE PAGE 2

145.63' (R)

N 88°12'21" E

145.63' (R)

S 88°12'21" W

COYOTE BLVD.

DOC.05-1800413

N 88°12'21" E

563.87' (R)

PARCEL A1
DOC.06-0411674

PARCEL B

N 88°12'21" E
566.00' (R)

PARCEL A
MCR 795-23
APN 102-01-033
& APN 102-01-047

SEE SHEET 3
FOR DETAIL

S 88°12'21" W
364.00' (R)

LOT 9
MCR 745-14
APN 102-01-032

NOTE: THIS EXHIBIT IS INTENDED TO ACCOMPANY
AN EASEMENT. IT IS NOT A SURVEY AND SHOULD
NOT BE CONSTRUED AS SUCH.

EQUIPMENT PAD(S) ARE A PART OF THE EASEMENT
UNLESS OTHERWISE NOTED.

LEGEND

NOTE: SYMBOLS MAY NOT BE TO DRAWING
SCALE, SO AS TO BETTER ENHANCE
GRAPHICAL REPRESENTATION

- SECTION AND CENTERLINE
- PROPERTY LINE
- CENTERLINE OF 8' EASEMENT
- EQUIPMENT PAD -
UNLESS OTHERWISE NOTED
ARE PART OF THE EASEMENT

CAUTION

THE EASEMENT LOCATION AS HEREON
DELINEATED MAY CONTAIN HIGH VOLTAGE
ELECTRICAL EQUIPMENT. NOTICE IS
HEREBY GIVEN THAT THE LOCATION OF
UNDERGROUND ELECTRICAL CONDUCTORS
OR FACILITIES MUST BE VERIFIED AS
REQUIRED BY ARIZONA REVISED STATUTES,
SECTION 40-380.21, ET. SEQ., ARIZONA
BLUE STAKE LAW, PRIOR TO ANY
EXCAVATION.

KJB-6602

SALT RIVER PROJECT A.I.
& POWER DISTRICT

QWEST # 5215123
NE/4, SEC. 9, T.2 N., R.1 E.

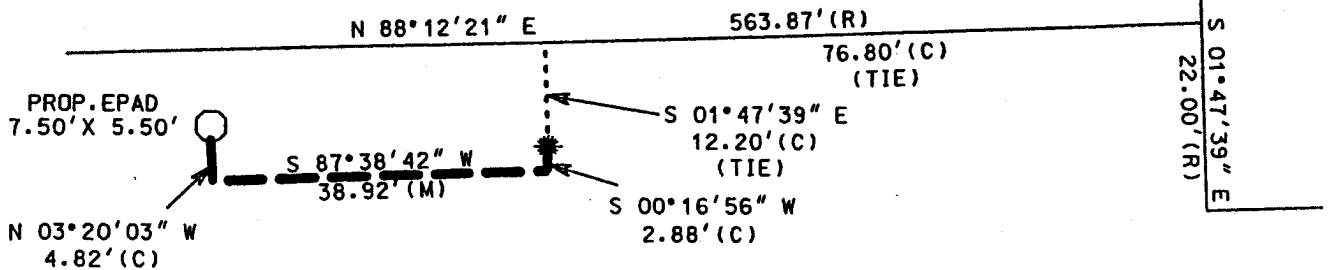
UNDERGROUND ELECTRIC
POWER LINE RIGHT-OF-WAY

DESIGNED	APPLEGET	AGENT	TIERRA
DRAWN	GM	APPROVED:	
DATE	04-05-07	APPROVED:	
SCALE	N.T.S.	SHEET	1 OF 2

EXHIBIT "A"



LOT 15
MCR 745-14
APN 102-01-046



COYOTE BLVD.
DOC.05-1800413

LEGEND

NOTE: SYMBOLS MAY NOT BE TO DRAWING SCALE, SO AS TO BETTER ENHANCE GRAPHICAL REPRESENTATION

- SECTION AND CENTERLINE
- PROPERTY LINE
- CENTERLINE OF 8' EASEMENT
- EQUIPMENT PAD -
UNLESS OTHERWISE NOTED
ARE PART OF THE EASEMENT

NOTE: THIS EXHIBIT IS INTENDED TO ACCOMPANY AN EASEMENT. IT IS NOT A SURVEY AND SHOULD NOT BE CONSTRUED AS SUCH.

EQUIPMENT PAD(S) ARE A PART OF THE EASEMENT UNLESS OTHERWISE NOTED.

CAUTION

THE EASEMENT LOCATION AS HEREON DELINEATED MAY CONTAIN HIGH VOLTAGE ELECTRICAL EQUIPMENT. NOTICE IS HEREBY GIVEN THAT THE LOCATION OF UNDERGROUND ELECTRICAL CONDUCTORS OR FACILITIES MUST BE VERIFIED AS REQUIRED BY ARIZONA REVISED STATUTES, SECTION 40-380.21, ET. SEQ., ARIZONA BLUE STAKE LAW, PRIOR TO ANY EXCAVATION.

KJB-6602

SALT RIVER PROJECT A.I.
& POWER DISTRICT

QWEST # 5215123
NE/4, SEC. 9, T.2 N., R.1 E.

UNDERGROUND ELECTRIC
POWER LINE RIGHT-OF-WAY

DESIGNED	APPLEGET	AGENT	TIERRA
DRAWN	GM	APPROVED:	<i>[Signature]</i>
DATE	04-05-07	APPROVED:	
SCALE	N.T.S.	SHEET	2 OF 2